

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Bonnet *et al.*

SERIAL NUMBER : 10/599,909

EXAMINER : CHEN, Catheryne

FILING DATE : 10/13/2006

ART UNIT : 1655

FOR : COSMETIC COMPOSITION BASED ON CAPER FLOWER BUD EXTRACT

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO WITHDRAW ACTION AND RESTART PERIOD FOR REPLY

This paper is in response to the Restriction Requirement mailed October 5, 2007 in the above-referenced application. In reliance on MPEP § 710.06, Applicants respectfully request withdrawal of the paper and issuance of a new Action and corresponding period for reply.

Applicants respectfully assert that the Restriction Requirement as mailed is erroneous because it is only based on claims 1-11. However, claims 1-20 are currently pending in the application as per a preliminary amendment filed with the application papers under 35 USC § 371 on October 13, 2006. In the preliminary amendment, claims 1-11 were amended to conform to U.S. practice and claims 12-20 were added. Accordingly, claims 1-20 are properly pending in this application.

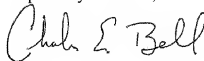
Applicants further assert that due to the error their ability to properly reply to the Restriction Requirement is affected. Consequently, Applicants request withdrawal of the Action, issuance of a new Action based on claims 1-20, and a new period for reply.

Should any questions or issues arise concerning this application, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

This error is being brought to the attention of the Office within one month of the mail date of the Action. Accordingly, this response is timely filed and no fee is believed due. The Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 08-1935, Reference No. 1759.236.

Dated: October 31, 2007

Respectfully submitted,

A handwritten signature in cursive script that reads "Charles E. Bell".

Charles E. Bell, Reg. No. 48,128
Attorney for Applicants
HESLIN ROTHENBERG FARLEY & MESITI P.C.
Telephone: (518) 452-5600
Facsimile: (518) 452-5579
Customer Number 23405